

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

STEVEN KINFORD,
Plaintiff,

v.

JAMES PINCOCK,
Defendant.

3:14-cv-125-RCJ-WGC

ORDER

I. DISCUSSION

On April 17, 2014, Plaintiff, a *pro se* prisoner, filed a motion to voluntarily dismiss his 42 U.S.C. § 1983 civil rights case. (ECF No. 3). On April 28, 2014, this Court entered a screening order dismissing the case with prejudice for failure to state a claim but granting Plaintiff's application to proceed *in forma pauperis*. (ECF No. 4 at 4-5). The Court ordered Plaintiff to pay the full \$350 filing fee for this action. (*Id.* at 4). The Clerk of the Court entered judgment that same day. (ECF No. 5).

On July 9, 2014, this Court entered an order vacating the screening order and judgment in light of Plaintiff's voluntary dismissal. (ECF No. 8). Plaintiff recently filed a letter with the Court requesting that the Court enter an order reflecting that he is no longer required to pay the \$350 filing fee in light of the vacated screening order. (ECF No. 10-1). On August 19, 2014, Plaintiff filed a motion requesting the same order. (ECF No. 11).

The Court grants Plaintiff's request. The Court now enters an order clarifying that its July 9, 2014 order vacating the screening order and judgment also vacated the order requiring Plaintiff to pay the full \$350 filing fee. Plaintiff is no longer required to pay the \$350 filing fee for case 3:14-cv-125-RCJ-WGC because Plaintiff voluntarily dismissed the case.

1 **II. CONCLUSION**

2 For the foregoing reasons, IT IS ORDERED that Plaintiff's motion to send a document
3 to the NDOC (ECF No. 11) is GRANTED.

4 IT IS FURTHER ORDERED that, in light of this Court's July 9, 2014 order, Plaintiff is
5 no longer required to pay the \$350 filing fee for case 3:14-cv-125-RCJ-WGC.

6 IT IS FURTHER ORDERED that the Clerk of the Court shall send a copy of this order
7 to the attention of Albert G. Peralta, Chief of Inmate Services for the Nevada Department of
8 Prisons, P.O. Box 7011, Carson City, NV 89702.

9
10 DATED: This 19th day of August, 2014.

11
12 
13 _____
United States Magistrate Judge